

Official Minutes for Webb County Commissioners Court Meeting

Monday, September 22, 2003 at 1:30 P.M.
(Approved October 27, 2003)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:30 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Jerry Vasquez	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Felix Velasquez	Commissioner, Pct. 3
David Cortez	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 19 of September 2003. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3 Pledge of Allegiance – Mr. Ramos, Webb County resident and veteran

Cmr. Velasquez motioned to move into Executive Session to discuss Item No. 45 and No. 46. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Bruni advised court that he would not participate in Executive Session. He stated that senior Commissioner Gutierrez would take his place in Executive Session.

EXECUTIVE SESSION (1:56 p.m. to 2:45 p.m.)

Judge Bruni reconvened meeting. Cmr. Gutierrez stated that no action was taken during executive session.

Judge Bruni stated that he felt Mr. Anderson, Mr. Baryman and Mr. Sussman were ethical lawyers and though he was totally against the filings, he stated that he could trust them. He stated for the record that though he can vote on this item, he would not vote on this issue so that there can be no inference of impropriety on his part due to his connections with the oil and gas industry.

Mr. Homero Ramirez, County Attorney, stated that no action was necessary at this time. He requested that the court make a motion to accept the filings listed on Item No. 45.

Item No. 45 Discussion and possible action regarding litigation filed by Ramon Garcia, P.C. being Cause No.: 2003-CVQ-1374-D1; Webb County vs. Chevron U.S.A., Inc. A/K/A Chevron Products Company, et al; In the 49th District Court, Webb County, Texas, Cause No: 2003-CVQ-1401-D2; Webb County vs. Exxon Mobil Corporation, et al; In the 111th District Court, Webb County, Texas and Cause No: 2003-CVQ-1368-D2; Webb County vs. Conoco, Inc., et al; In the 111th District Court, Webb County, Texas or other action as deemed appropriate by the Commissioners Court. [Executive Session requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071, Consultation with Attorney]

Item No. 46 Discussion and possible action relating to the "contract of employment" with the Law Office of Ramon Garcia, P.C., or other action as deemed appropriate by the Commissioners Court. [Executive Session requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071, Consultation with Attorney]

Cmr. Velasquez motioned to work with attorney's named by Judge Bruni. Cmr. Cortez seconded the motion.-

Mr. Homero Ramirez, County Attorney, advised Court that contracting attorney for this matter, Mr. Ramon Garcia, P.C. can engage services from other attorneys as per the contract that was filed. For the record, Judge Bruni stated that he would like to hear from attorneys that he respects and admires because he did not find out about the lawsuits filed until he read about them in the Laredo Morning Times.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Velasquez motioned to move into Executive Session to discuss Item No. 47 and No. 48. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (2:54 p.m. to 3:08 p.m.)

Judge Bruni reconvened meeting and stated that no action was taken during Executive Session.

Item No. 47 Discussion and possible action to amend Webb County Personnel Policies Manual §14.04 to modify composition of Webb County

Employee Grievance Committee, to set terms of the members of that committee, and any related matters. (Requested by County Judge) [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071(Consultation with Attorney)].

Comr. Velasquez motioned to adopt the second option of current procedures. Comr. Gutierrez seconded the motion.

Comr. Velasquez amended motion add the adoption of modifications presented. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 48 Discussion and possible action to appoint members of the Webb County Employee Grievance Committee pursuant to §14.04 of the Webb County Personnel Policies Manual, to set the terms of those members, and any related matters. (Requested by County Judge) [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071(Consultation with Attorney)].

The court members appointed the following:

Judge Bruni – appoint at next meeting
Comr. Vasquez - Mr. Eloy Ramirez, Purchasing Agent and current chairman.
Comr. Gutierrez - appoint at next meeting
Comr. Velasquez – Bobby Mancha, Webb County resident
Comr. Cortez – Vicky Cantu, Webb County resident

Comr. Gutierrez motioned to move up Item No. 27 and No. 44. Comr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 44 Discussion and possible action on the approval of a line item transfer in the amount of \$3,000 from account No. 001-0700-6022 (Professional Services) to account No. 001-0700-6205 (Materials & Supplies).

Comr. Velasquez motioned to approve item as submitted. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 27 Discussion and possible action to enter into an agreement for engineering services with Foster Engineering Company for the

resurfacing, paving of streets and storm water drainage design within the City of Rio Bravo, Webb County, Texas, Units I, II, III, and the Rio Bravo Annex as funded by the Border Access Colonia Program administered by the Texas Department of Transportation and authorizing the Count Judge to sign all relevant documents.
[Engineering Department]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Cortez motioned to move up Item No. 18, 19, 20, 21, and 22. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 18 Discussion and possible action to approve a modification to the existing contract with the Golf Course Operator, effective October 1, 2003, and for the remaining years on the contract.

Cmr. Velasquez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Cmr. Velasquez stated that by turning over the maintenance operation to Mr. Balt Ramos, the county would save \$271,000 in payroll for the twelve (12) golf course employees the county has. Mr. Homero Ramirez, County Attorney, stated that he has met with Mr. Ramos and his attorney Mr. Lopez several times and is requesting direction from the courts on the following items:

County liable for:

- Debt service
- Utilities (electricity and water)
- Maintenance of water pumps (greens only)
- Maintenance and repairs for all sewer lines

Mr. Ramos:

- Will not be liable for leases unless they can be worked out
- Contract term not affected for five remaining years
- Operational expenses the responsibility of the operator

Pending finalization:

- If county unable to provide water, contract can be terminated but would like to amend contract so that Ramos can take over providing water services.
- Currently, County has sole discretion for operating times
- Requesting operator's discretion to set time and fees
- Operator's discretion to set salary cap and floor

- Threshold of \$400,000 in revenues that would go to County
- Weekly or other reporting of expenditures and revenues

Mr. Ramirez stated that specific terms would be placed on next agenda. Cmr. Velasquez suggested a surcharge fee be charged for capital improvements. Cmr. Gutierrez stated that she would like to see the changes and impact that this modification would have on the County. Cmr. Cortez stated that he was concerned about the present employees (would like for them to have preference for employment) and would like to make sure that any pending issues have been worked out before contract is approved. Mr. Homero Ramirez, County Attorney, stated that Court needed to decide if Court wanted to absorb/retain those employees not picked up by Mr. Ramos. He stated that if slots are created for those employees, then, no savings would result from agreement. Mr. Ramos stated that he would meet with the current employees, evaluate them and have them reapply. He stated that due to a possible shortfall of \$150-180 thousand, he may have to make some cuts and could not guarantee that all employees would be kept. Cmr. Vasquez stated that he had concerns regarding pending fees filed with the 341st District Court. Mr. Lopez, attorney for Mr. Ramos, stated that those matters pending have been resolved.

Cmr. Velasquez motioned to approve amendments presented. Cmr. Cortez seconded the motion.

Motion carried 3-2 with Cmr. Vasquez and Cmr. Gutierrez voting against.

Item No. 19 Discussion and possible action to appoint Jose Luis Rodriguez as County Road and Bridge Superintendent for a two year term effective September 22, 2003.

Cmr. Velasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 3-2 with Cmr. Vasquez and Cmr. Cortez voting against.

Mr. Homero Ramirez, County Attorney, advised Court that this is not a contract but an appointment for a statutory term with removal only for due cause.

Item No. 20 Discussion and possible action to have the County Road and Bridge Superintendent under the direct supervision of the Commissioners Court instead of the County Engineer.

Cmr. Velasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 21 Discussion and possible action to transfer the authorized expenditure of \$300,000 from the 2000 HAWK FIRE APPARATUS CATEGORY in the

use of proceeds of the "Webb County, Texas Certificates of Obligation Series 2000" to the category for general expenditures for purchase of equipment.

- Item No. 22 Discussion and possible action to transfer \$300,000 in the category for general expenditure for the purchase of equipment in the use of proceeds of the "Webb County, Texas Certificates of Obligation, Series 2002" to the construction of new County buildings, being the library and addition of libraries, and reimburse the general fund expenditure for use for projects in Precinct IV of Webb County.

Cmr. Cortez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion with discussion.

Cmr. Velasquez stated for the record that he had been advised by Mr. Paul Martin, Bond counsel, that monies could not be moved until all projects for that bond series had been completed. Mr. Carlos Villarreal, Commissioners Court Executive Administrator, stated that there was liabilities to the county in having untrained personnel operate the fire apparatus.

Motion carried 5-0 by unanimous consent.

Cmr. Vasquez motioned to move up Item No. 15. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 15 Discussion and possible action to accept project grant award of \$800,000 from the Office of Rural Community Development (TCDP Contract No. 722661) for the implementation of the Rio Bravo Storm Improvements Project and authorize the County Attorney to develop an Interlocal Agreement with the City of Rio Bravo in order to coordinate with the City on this project, and authorizing the County Judge to execute all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Mr. Tomas Rodriguez, Engineering Department, stated that no cash match was required on this grant.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move up Item No 16 and No. 17. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 16 Discussion and possible action to approve Change Order No. 3 to the Caldwell Tanks, Inc., TCDP Contract No. 721859 (Oilton Elevated Storage Water Tank) in the total amount of Thirteen Thousand Three Hundred Seventy-Four Dollars (\$13,374) includes labor and the installation of pump and motor in the Oilton Water Tank and for Mirando City, Texas Water Line repairs includes welding and labor for the installation of the Sand Separator, and re-route 8" water line [Account No. 653-8001-8701 Water Facilities]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 17 Discussion and possible action on the approval of a line item transfer in the amount of \$2,200 from account No. 001-0101-7448 (So. Texas County Judges & Commissioners Association) to account No. 001-0101-6402 (Repair & Maintenance Equipment)

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 4 Approval of minutes – September 8, 2003

Cmr. Velasquez stated that on page 2, the correct spelling for Mr. Richard Russell is Rosell. He also stated that on page 4 that the 2% increase is for the four years of the contract and only those who qualify for the "steps" would receive the 3% increase in the second year, the 4% increase in the third year and 5% increase for the fourth year.

Cmr. Gutierrez motioned to approve minutes with the corrections stated. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 5 Approval of bills, payroll and monthly reports

Ms. Delia Perales, County Treasurer, presented her monthly report for the month of August.

Cmr. Velasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 6 Communications

Cmr. Cortez congratulated former County Commissioner Jorge O. De La Garza for being honored by the Webb County Headstart Program and stated that a Headstart center was being named after him. Judge Bruni stated that he would take those who signed up to speak on the budget and third party funding at the time that the item came up.

Cmr. Cortez motioned for a five minute break. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

BREAK (4:15 p.m. to 4:38 p.m.)

Cmr. Gutierrez motioned to move up Item No. 26, No. 37 and No. 38. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 26 Discussion and possible action to increase the fees for Records Archive Management from ONE DOLLAR (\$1.00) per document to FIVE DOLLARS (\$5.00) per document and ordering that this fee be set and itemized in the county's budget pursuant to Sec. 118.025(b), Local Government Code.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 37 Discussion and possible action to itemize and set fees by order for floodplain development permits and road permits pursuant to the provisions of Section 16.324, Texas Water Code and Section 252.017, Texas Transportation Code.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 38 Discussion and possible action to establish a new line-item in the FY 04 Budget for expenditures related to the acquisition of hardware, software, professional/consultant services, user fees, and any other item related to the deployment of Mapped ANI/ALI (Automatic Number Identification/Automatic Location Identification) service for the Sheriff's Public Safety Answering Point (PSAP), the Planning Department's interface with Intrado Inc., and the deployment of automatic Vehicle Location (AVL) systems for County emergency response vehicles; and to deposit those surplus monies totaling \$100,850.25 collected by the Planning Department for Addressing and Addressing Maintenance activities during FY 03 into said new line-item.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Mr. Homero Ramirez, County Attorney, advised Court that this item needed to be taken up with the budget adoption.

Cmr. Gutierrez withdrew her motion.

Item No. 7 Public Comment

Discussion would be taken at time of item being discussed.

Item No. 8 Discussion and possible action regarding the setting of salaries, expenses, and other allowances, of Webb County Elected Officials as per section 152.013, Texas Local Government Code and authorization to issue written notice to Elected Officials of their salary and allowances to be included in the Fiscal Year 2003-2004 Webb County Budget.

Cmr. Velasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Mr. Carlos Villarreal, Commissioners Court Executive Administrator, advised Court that the allowances previously removed was \$10,652 from the County Judge and \$7228 from the County Sheriff. Mr. Leo Flores, County Auditor, stated that the allowances for the Commissioners were \$3650.

Motion carried 5-0 by unanimous consent.

Item No. 9 Public hearing on the proposed Webb County Budget for Fiscal Year 2003-2004, pursuant to Chapter 111, Texas Local Government Code.

PUBLIC HEARING

Ms. Patricia Barrera, County Tax Assessor Collector, came before the court to request that a 2% salary increase be given to her employees from the Road and Bridge fund. She stated that her office has collected approximately \$950 thousand for the Road and Bridge fund and the increase would amount to less than \$24 thousand. She also requested that the court allot C.A.S.A. (Court Appointed Special Advocates) \$5,000 from third party funding. She also requested that the Court reinstate the Webb County Heritage Foundation third party funding to \$50 thousand and not cut the 20% proposed.

Ms. Marissa Martinez addressed the Court and aired her concerns about overspending and the lawsuits being paid from the General fund which are costing the taxpayers. She stated that the Constituent Relations Officer is not living up to job expectations and feels that position is unnecessary and monies being paid in position's salary could be used to help departments that may need additional funding. She criticized Judge Bruni's administration for having twice as many employees as the previous administration. She congratulated Cmr. Gutierrez for her work in starting the colonias initiative.

Justice of the Peace Oscar Martinez, Pct. 4, requested a budget adjustment for his office and reminded the court that D.P.S. had requested an additional four slots for his department due to the increase in workload and that he also requested 2 additional personnel. He stated that his revenue is triple of what was projected and the county keeps 75% of the fees collected.

Mr. Adolfo Gonzalez addressed the Court regarding the Laredo Veterans Coalition. He stated that Mr. Juan Sanchez was present to answer any questions.

Mr. Juan Sanchez, Executive Director for the Laredo Veterans Coalition, stated that the Laredo Veterans Coalition was formed at the direction of Senator Judith Zaffirini to assist and support local veterans. He stated that they do not govern other organizations and do not require or request funding from other veteran agencies or organizations. He stated that they receive governmental funding from both Webb County and the City of Laredo. He stated that assistance can be given to veterans regardless of military branch or organization membership. He stated that he works well with Mr. Jesus Cantu, Veterans Service Officer. Cmr. Gutierrez stated that she was concerned about monies being turned over to the Veterans Service Officer due many veterans need assistance immediately and cannot afford to wait for request to be processed. Cmr. Velasquez stated that Mr. Cantu could be issued a checking account to assist veterans upon application for assistance at a maximum assistance of \$400.00.

Ms. Delia Perales, County Treasurer, requested the court reconsider her request to reorganize her office staff. She stated that she has been in office nine months and understands her staff's capabilities and stated that she would work within her budget. She stated that she planned to lower salaries for two employees to supplement additional pay for two other employees.

Constable Raul Hinojosa, Pct. 1, advised the court that he and Constable Ruben Reyes would be present in case the court had any questions regarding the proposal they submitted to the County.

Mr. Rafael Ramos, Jr., requested third party funding be allocated to the Marine Corps League for their annual convention to be held October 2-4, 2003. He stated that people from all over the state attend this convention and are requesting \$10,000 to cover hotel and other expenses for the convention's distinguished guests. He stated that this money would be returned to the county in the form of the hotel/motel taxes as well as sales tax. He also advised the court that they have been asked to host the 2006 convention.

Mr. Jesus Cantu, Veterans Service Officer, stated that the American Legion Post 29 was unable to attend today's meeting and that they requested \$525 for a ceremony bugle to be used by the volunteer honor guard at military funerals.

Cmr. Gutierrez motioned to close the Public Hearing. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

CLOSE PUBLIC HEARING

Mr. Homero Ramirez, County Attorney, advised Court that Item No. 10, No. 26, No. 37 and No. 38 be called up and acted on at time of budget adoption.

Cmr. Vasquez motioned to move up Item No. 26, No. 37 and No. 38. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

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| Item No. 26 | Discussion and possible action to increase the fees for Records Archive Management from ONE DOLLAR (\$1.00) per document to FIVE DOLLARS (\$5.00) per document and ordering that this fee be set and itemized in the county's budget pursuant to Sec. 118.025(b), Local Government Code. |
| Item No. 37 | Discussion and possible action to itemize and set fees by order for floodplain development permits and road permits pursuant to the provisions of Section 16.324, Texas Water Code and Section 252.017, Texas Transportation Code. |
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Identification/Automatic Location Identification) service for the Sheriff's Public Safety Answering Point (PSAP), the Planning Department's interface with Intrado Inc., and the deployment of automatic Vehicle Location (AVL) systems for County emergency response vehicles; and to deposit those surplus monies totaling \$100,850.25 collected by the Planning Department for Addressing and Addressing Maintenance activities during FY 03 into said new line-item.

Cmr. Vasquez motioned to approve Item No. 26, No. 37 and No. 38 as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 10 Discussion and possible action on the adoption of the Webb County budget for Fiscal Year 2003-2004 pursuant to Chapter 111, Texas Local Government Code. The Court may make any modifications to the County Judge's proposed budget by majority vote.

Cmr. Cortez motioned to approve salary increase for Slot No. 0417 in Dept. 2003 (\$12,563) and salary increase for security personnel to equal deputies salaries (Total-\$37,705). Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Vasquez motioned to approve one (1) clerk for No. 2 for El Cenizo Community Center. Cmr. Cortez seconded the motion.

Cmr. Gutierrez questioned as to whether Cmr. Vasquez's motion included a clerk for the Bruni Community Center. She stated that recommendation was to approve. Cmr. Velasquez presented a list of budget amendments that he has concerns with.

Vote was not taken on this item.

Mr. Raul Casso, County Judge's Chief of Staff, advised Court that the budget is currently on the edge of going below 15%. Mr. Carlos Villarreal, Commissioners Court Executive Administrator, advised Court that if they went below 15%, it would negatively affect the County's bond rating and that court had approved a resolution in the previous administration that they would not go below the 15%. He stated that if the projected figures are correct, the fund balance would be \$5.9 million.

Cmr. Velasquez motioned to decrease the Webb County Appraisal District Cost by \$20,000. Cmr. Gutierrez seconded the motion

Motion carried 4-0 with Cmr. Vasquez not present for voting.

Cmr. Velasquez motioned to decrease the Utilities Department Operating Expenses by \$50,000. Cmr. Cortez seconded the motion.

Mr. Homero Ramirez, County Attorney, advised Court that they would be able to transfer monies from another line item if the need arises.

Motion carried 4-1 with Vasquez voting against.

Cmr. Velasquez motioned to reduce the Auditing Fees by \$10,000. Cmr. Cortez seconded the motion.

Motion carried 3-1 with Cmr. Vasquez voting against and Judge Bruni abstaining.

Cmr. Velasquez stated that on Item No. 22, he felt that the position of Accounts Payable Clerk for the Auditor's Department is not necessary.

Mr. Leo Flores, County Auditor, advised Court that his budget was dictated by the District Board of Judges and could not be modified by the Commissioners Court.

Cmr. Velasquez stated that three secretaries were not needed in the Purchasing Department and stated the expenditures needed to be cut.

Mr. Eloy Ramirez, Purchasing Agent, advised Court that his office does not have three secretaries. He stated that he has one secretary, one contract secretary and one payroll clerk. He stated that he had three people retire from this office this year and was only allotted one additional slot at the last budget.

Cmr. Velasquez motioned to eliminate Slot No. 2068 from the Purchasing Department.

Mr. Homero Ramirez, County Attorney, recommended that the court look into this and come back at a later time.

Cmr. Velasquez withdrew his motion.

Cmr. Velasquez motioned to eliminate Slot No. 0047 from the Elections department. Cmr. Cortez seconded the motion.

Motion carried 3-2 with Cmr. Vasquez and Cmr. Gutierrez voting against.

Cmr. Velasquez stated that this would result in a savings of \$43,354 in payroll. Ms. Patricia Barrera, County Tax Assessor Collector, stated that there are many changes that would be taking place due what happened in Florida during the presidential election. She stated that the county stands to receive a grant to cover these changes if everything is done on a timely basis; if not, county would have to pay to cover these changes.

Cmr. Velasquez motioned to eliminate Slot No. 2113 (Secretary / Clerk) from department No. 6002 (Parks & Grounds). Cmr. Cortez seconded the motion.

Motion carried 3-2 with Cmr. Vasquez and Cmr. Gutierrez voting against.

Cmr. Velasquez motioned to eliminate Slot No. 0875 (Parks & Recreation Director) from department No. 6002 (Parks & Grounds). Cmr. Cortez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Velasquez stated for the record that the savings for the County in approving the contract amendment with Mr. Balt Ramos would be \$271,513.00.

Cmr. Velasquez motioned to reduce funding for Line Item 6714 from Department 4100 (Indigent Care Assistance) in the amount of \$150,000. Cmr. Gutierrez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Velasquez motioned to eliminate Slot No. 0593 (Director) from Department 4100 (Indigent Care Assistance).

Cmr. Gutierrez stated that slot could be removed at a later date and the monies placed in the contingency fund for future use.

Cmr. Velasquez withdrew his motion pending a report from Mr. Casso and Mr. Villarreal.

Cmr. Gutierrez inquired on what action court wanted to take in regards to golf course employees when Mr. Ramos takes over the maintenance of the golf course. Cmr. Cortez stated that they could apply for unemployment benefits and would give the county an opportunity to find other positions for them within the county. Mr. Homero Ramirez, County Attorney, recommended that the court leave the slots as they are and remove them at a later time. Cmr. Velasquez stated that this item was applicable when the Court approved the amendments to the golf course contract. Cmr. Gutierrez stated that as of September 30, 2003, those slots would not longer be in the budget.

Cmr. Cortez motioned to not create the position of Public Information Officer. Cmr. Vasquez seconded the motion.

Cmr. Velasquez stated that the position is necessary and not only assists the Commissioners Court but elected officials and department heads as well. He stated that this would allow the person to work with the M.I.S. Department on the posting of public information on the website. Judge Bruni stated for the record that he has told his staff and department heads that the agenda needed to be posted on the website.

No action taken. Vote was 2-2 with Cmr. Gutierrez and Cmr. Velasquez voting against and Judge Bruni abstaining from voting.

Mr. Homero Ramirez, County Attorney, stated that slot could not be created but needed to be transferred from another department.

Cmr. Velasquez motioned to create the Public Information Officer position at \$40,000. Cmr. Gutierrez seconded the motion.

Motion carried 3-2 with Cmr. Vasquez and Cmr. Cortez voting against.

Cmr. Cortez motioned to allot \$100 per elected official and \$50 for other employees for cellular phone use. Cmr. Gutierrez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Velasquez motioned to allot \$12,250 for equipment rental budgeted as repairs and maintenance for Department No. 1120 (County Clerk). Cmr. Gutierrez seconded the motion.

Cmr. Velasquez stated that funding for new copier requested could come from Capital Outlay.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Velasquez motioned to reinstate (1) HVAC Technician for Department No. 106 (Facilities) effective October 1, 2003. Cmr. Gutierrez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Velasquez motioned to reinstate (1) HVAC Technician for Department No. 106 (Facilities) effective January 1, 2004. Cmr. Cortez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Velasquez motioned to fund two additional clerks for Justice of the Peace Oscar Martinez, Pct. 4 from Road & Bridge funds at a cost of \$41,600. Cmr. Gutierrez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Velasquez motioned to fund 4 additional D.P.S. clerks for Justice of the Peace Oscar Martinez, Pct. 4 from Road & Bridge funds at a cost of \$83,200. Cmr. Gutierrez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Velasquez motioned to fund salary adjustments to equalize Justice of the Peace, Pct. 2, Pl. 1, Santos Benavides, to those of other J.P. courts with funds coming from Road & Bridge funds. Cmr. Gutierrez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Velasquez motioned to increase the funding for Line Item 6403 (Road & Bridge Dept. 7002) by \$50,000 from Road & Bridge funds. Cmr. Gutierrez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Velasquez motioned to increase the funding for Line Item 6405 (Road & Bridge Dept. 7002) by \$100,000 from Road & Bridge funds. Cmr. Gutierrez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Velasquez motioned to increase the funding for Line Item 6011 (Road & Bridge Dept. 7002) by \$10,000 from Road & Bridge funds. Cmr. Gutierrez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Velasquez motioned to divide the Commissioners Court budget equally for each Precinct. Cmr. Gutierrez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Velasquez motioned to reinstate \$10,000 to Slot 0033 and \$10,000 to Slot 0069, Dept. 200 (County Judge). Cmr. Cortez seconded the motion.

Motion carried 3-1 with Cmr. Vasquez voting against and Judge Bruni abstaining.

Cmr. Gutierrez motioned to reinstate \$10,000 to Slot 0417, Dept. 2003 (Sheriff's Administration Non-Bargaining Unit). Cmr. Cortez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Velasquez stated for the record that if the audit report shows fund balance was more than \$6.9 million, the Court would be able to come back and honor more requests.

Cmr. Velasquez motioned to create a line item under Dept. 109 for Contingency funds. Cmr. Gutierrez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Cortez motioned to fund the following out of the discretionary monies earmarked for Precinct 4:

1. \$50,000 to purchase equipment necessary for imaging (M.I.S. Dept)
2. \$43,000 for salary increases for court reporters
3. \$5,000 Latin American Hall of Fame in addition to third party funding

4. \$16,000 for salary increases for election judges and clerks for March primaries and November elections
5. \$10,000 for Webb County Food Bank in addition to third party funding
6. \$2,500 for the B.E.S.T. organization in addition to third party funding
7. \$10,000 for the Marines Convention
8. Monies necessary to hire an additional attorney for the Public Defender

Cmr. Gutierrez seconded Cmr. Cortez's motion.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Gutierrez motioned to fund Hotel/Motel Third Party funding at level for FY 2002-2003. Cmr. Velasquez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Velasquez requested that funding for L.U.L.A.C. #7 be increased to match funding for L.U.L.A.C. #12. Cmr. Gutierrez requested that the Ms. Texas Pageant be allotted \$10,000. Judge Bruni requested that the funding for the Webb County Heritage Foundation be reinstated to original funding for FY 2003-2004.

Cmr. Gutierrez motioned to approve above requests from Hotel/Motel funds. Cmr. Velasquez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Gutierrez motioned to include funding of \$3,000 for the Texas State Guard from Hotel/Motel funds. Cmr. Velasquez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Gutierrez motioned to fund a clerk for the El Cenizo Community Center (\$27257). Cmr. Velasquez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Gutierrez motioned to approve \$92,596 to increase pay for constable deputies. Cmr. Velasquez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Item No. 4a and 4b – County Clerk

Cmr. Gutierrez motioned to increase funding for equipment rental from Capital Outlay (\$9,300) for the County Clerk's office. Cmr. Velasquez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Item No. 6 – District Attorney

Cmr. Gutierrez stated that request for salary increase for investigators (\$61746) to equal that of bargaining unit would be taken under advisement and revisited at a later time.

Item No. 7 – County Attorney

Cmr. Gutierrez stated that requests for mental health case investigator (\$37458), deletion of operation officer (-\$15688, creation of temporary part time line item (\$15688), postage increase (\$500), mental health care cost increase (\$35000), training and education increase (\$7000), fuel and lubricants increase (\$400) and material and supplies increase (\$5000) would be revisited at a later time. Mr. Raul Casso, County Judge's Chief of Staff, stated that Item 7e (Increase mental health care costs to \$45,000) was not his item. He stated that this item was to pay bills from other counties that have been submitted for mental health care of County residents. Cmr. Gutierrez stated that this would need to be looked at when the bills come in.

Tax Assessor

Mr. Raul Casso, County Judge's Chief of Staff, recommended no action be taken on request to implement cost of living increase (2%) to tax department employees from Road and Bridge fund to be uniform with all employees.

Cmr. Gutierrez motioned to approve request from Tax Assessor with monies from Road & Bridge Fund (\$23238). Cmr. Velasquez seconded the motion.

No action. Vote was 2-2 with Cmr. Vasquez and Cmr. Cortez voting against and Judge Bruni abstaining.

Item No. 9

Mr. Raul Casso, County Judge's Chief of Staff, stated that Ms. Perales wanted to increase and decrease the salaries in her department and that it would have no effect on the fund balance.

No action was taken on this item.

Item No. 10 – Risk Management

No action taken on request for receptionist slot (\$26430), property casualty and liability reserves increase (\$48176) or employer contribution increase (\$602316).

Item No. 13 – Larga Vista Community Center

No action was taken on request for director salary adjustment (\$6,227), personnel salary adjustments (\$2500), materials and supplies increase (\$1500) or utilities increase (\$6402).

Item No. 14 – Public Defender

No action was taken on request for receptionist slot (\$30,616), two public defender slots (\$128,880), investigator slot (\$37,458), administrative travel increase (\$1,800), training and education increase (\$4,000) or professional service increase (\$4,114)

Item No. 15 – District Judges – General Judicial Administration

No action was taken on request for court reporter salary increases (\$43000) or judicial indigent defense increase (\$89000).

Item No. 16 – Purchasing Department

No action was taken on request for postage increase (\$1000).

Item No. 17b – Increase City Health Contract

Comr. Gutierrez motioned to approve increase of \$16,400 as submitted. Comr. Cortez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Item No. 17a – Increase of City of Laredo Fire Protection and EMS Contract

Judge Bruni stated that he would not pay the increase for this service. He stated that the responsibility should fall on the city, not the county.

No action was taken on this item.

Third Party Funding

Comr. Gutierrez motioned to approve following amendments to Third Party Funding:

- | | |
|---------------------------|--|
| 1. Webb County Food Bank | Reinstate \$6,000.00 (amount that was cut) |
| 2. Habitat for Humanity | Reinstate \$4,000.00 (amount that was cut) |
| 3. Border Region M.H.M.R. | Reinstate \$4,000.00 (amount that was cut) |
| 4. Bethany House | Reinstate \$2,500.00 (amount that was cut) |

Comr. Velasquez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Comr. Velasquez motioned to decrease funding for the Laredo Veterans Coalition to \$0.00 and transfer monies (\$50,000) to the Veterans Service Officer for veterans' assistance. Comr. Cortez seconded the motion.

Motion carried 3-2 with Comr. Vasquez and Comr. Gutierrez voting against.

Comr. Gutierrez motioned to approve following amendments to Third Party Funding:

- | | |
|--|--|
| 1. B.E.S.T. Organization | Increase \$2,500.00 in addition to Cmr. Cortez's allotment |
| 2. Children's International | Reinstate \$10,000.00 (amount that was cut) |
| 3. C.A.S.A.
(Court Appointed Special Advocates) | Allot \$5,000.00 |
| 4. Savate Boxing | Increase \$1,500.00 (amount that was cut) |

Cmr. Velasquez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Gutierrez motioned to approve funding (\$27,250.00) for Bruni Community Center clerk. Cmr. Velasquez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Gutierrez motioned to approve a part time custodian (\$12874) for Justice of the Peace, Pct. 3, Alfredo Garcia. Cmr. Velasquez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Mr. Homero Ramirez, County Attorney, advised Court that allotting \$100 for elected officials for cell phone use was not allowed.

Cmr. Cortez motioned to allot elected officials 1,500 minutes per month. Cmr. Gutierrez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Cmr. Cortez motioned to increase salaries for Commissioners' secretaries by \$4000 so that they can assist Mr. Carlos Villarreal, Commissioners Court Executive Administrator instead of hiring one for him. Cmr. Gutierrez seconded the motion.

Judge Bruni stated that his secretaries needed to be included as well. Ms. Margie Ramirez Ibarra, Webb County Clerk, advised Court that her secretary also assisted Mr. Villarreal by taking the minutes for the meetings of the Rural Rail Transportation District.

Motion failed 2-3 with Judge Bruni, Cmr. Vasquez and Cmr. Velasquez voting against.

Cmr. Vasquez motioned to adopt the budget with the changes approved. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 11 Discussion and possible action regarding the adoption of the Webb County Tax Rate of .457923 per \$100 taxable valuation for tax year

2003 (Fiscal Year 2003-2004) pursuant to Chapter 26, Texas Property Code.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Bruni stated that he would only accept three time-sensitive items (Item NO. 34, No. 36 and No. 39).

Cmr. Velasquez motioned that effect. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 34 Discussion and possible action to authorize the submission of revised contract Amendment No. 1 for TCDP No. 721003 (Self-Help Center Program) revision to include new activities, six (6) months contract time extension and Management Assessment Team report and recommendations. This will not cost the County any money and to authorize the County Judge to execute all relevant documents.
- Item No. 36 Discussion and possible action to authorize the Planning Department Staff to enter into User Agreements with Intrado Inc. for the updating of Emergency 9-1-1 Addressing Database(s) in Webb County.
- Item No. 39 Discussion and possible action to issue "Certifications Regarding compliance with Plat Requirements and the Connection of Utilities" to authorize utility connections to the following properties:

Connections(s) qualifying under Section 232.028 (a) and (b):

1. Block 39, Lot 17, 18, & 19, Oilton Subdivision, (electricity-one dwelling only).

Cmr. Vasquez motioned to approve Item No. 34, No. 36 and No. 39 as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Vasquez motioned to move up Item No. 41. Cmr. Gutierrez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Item No. 41 Discussion and possible action to authorize the Purchasing Agent to solicit competitive sealed bids for the Webb County, Justice of the Peace Courthouse Expansion Project.

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Bruni advised Court that remainder of items would be acted upon at the next Commissioners Court meeting (Monday, September 29, 2003)

Item No. 49 Adjournment

Cmr. Vasquez motioned to adjourn meeting. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

ITEMS TO BE TAKEN AT NEXT COMMISSIONERS COURT MEETING

- Item No. 12 Discussion and possible action by resolution of the Webb County Commissioners Court to nominate a candidate for the Webb County Appraisal District Board of Directors and to cast all of Webb County's 1,024 votes for Commissioner Felix Velasquez as Webb County's member to the Webb County Appraisal District Board of Directors for the 2004-2005 term as per Section 6.03 of the Texas Property Tax Code.
- Item No. 13 Discussion and possible action to designate meeting dates and time on which the Commissioners Court shall convene in regular term each month during the Fiscal Year 2003-2004 Pursuant to Section 81.005, Texas Local Government Code. The Court may convene on any other day as deemed necessary as authorized by law.
- Item No. 14 Discussion and possible action to approve the proposed Holiday Schedule for Fiscal Year 2003-2004;
- Columbus Day October 13, 2003 (Monday)
Veteran's Day November 11, 2003 (Tuesday)
Thanksgiving November 27 & 28, 2003 (Thurs. & Fri.)
Christmas December 25 & 26, 2003 (Thurs. & Fri.)
New Years January 1 & 2, 2004 (Thurs. & Fri.)
Martin Luther King January 19, 2004 (Monday)
President's Day February 16, 2004 (Monday)
Good Friday April 9, 2004 (Friday)
Memorial Day May 31, 2004 (Monday)
Independence Day July 5, 2004 (Monday)
Labor Day September 6, 2004 (Monday)
Three Personal Holidays for Fiscal Year 2003-2004
- Item No. 23 Discussion and possible action to authorize interim supervision of the Risk Management Department.
- Item No. 24 Discussion and possible action to authorize Mr. Raul Elizondo, Director of Facilities, to supervise the Parks and Grounds Department.
- Item No. 25 Discussion and possible action to authorize changing date of regular Commissioners Court Meeting from October 14, 2003 (Tuesday) to October 15, 2003 (Wednesday) at 1:30 p.m.

- Item No. 28 Discussion and possible action to accept, by order, 2 rights-of-way, out of Los Ranchitos 359 East Subdivision, 32 rights-of-way, out of Pueblo Nuevo Subdivision, and 2 rights of way, out of Ranchitos IV Los Minerales Annex Subdivision, and authorizing the County Judge to sign all relevant documents.
- Item No. 29 Discussion and possible action to enter into a three (3) year (September 22, 2003 through September 21, 2006) burglar alarm service and maintenance agreement with TRANSTATE SECURITY SYSTEMS to install and service an alarm system at the El Cenizo Community Center located at 3519 Cecilia Lane in El Cenizo, Texas at a monthly cost of TWENTY FOUR DOLLARS AND NINETY FIVE CENTS (\$24.95). The Agreement also calls for a one-time TWO THOUSAND FIVE HUNDRED FOURTEEN DOLLAR AND NINETY FIVE CENTS (\$2,514.95) alarm system equipment installation-connection fee. The total cost of the Agreement is THREE THOUSAND FOUR HUNDRED AND THIRTEEN DOLLARS AND FIFTEEN CENTS (\$3,413.15) and authorizing the County Judge to execute all relevant documents.
- Item No. 30 Discussion and possible action to enter into a three (3) year (September 22, 2003 through September 21, 2006) burglar alarm service and maintenance agreement with TRANSTATE SECURITY SYSTEMS to install and service an alarm system at the Rio Bravo Community Center located at 1600 Orquidia Drive in Rio Bravo, Texas at a monthly cost of TWENTY FOUR DOLLARS AND NINETY FIVE CENTS (\$24.95). The Agreement also calls for a one-time TWO THOUSAND FIVE HUNDRED DOLLAR (\$2,500.00) alarm system equipment installation-connection fee. The total cost of the Agreement is THREE THOUSAND THREE HUNDRED AND NINETY EIGHT DOLLARS AND TWENTY CENTS (\$3,398.20) and authorizing the County Judge to execute all relevant documents.
- Item No. 31 Discussion and possible action to enter into a Collective Bargaining Agreement with the Webb County Deputy Sheriffs Association beginning October 1, 2003, and ending September 30, 2007, and authorizing the County Judge to sign all relevant documents.
- Item No. 32 Discussion and possible action on the approval of the following line item transfers in the amount of \$6,000:

From:

Acct. No. 001-1100-6402	Repair & Maintenance Equipment	\$3,500
Acct. No. 001-1100-6204	Fuel & Lube	500
Acct. No. 001-1100-6014	Equipment Rental	2,000
		TOTAL \$6,000

TO:

Acct. No. 001-1100-6011	Training & Education	\$3,500
Acct. No. 001-1100-6005	Postage	500
Acct. No. 001-1100-5601	Administrative Travel	2,000
		TOTAL: \$6,000

Item No. 33 Discussion and possible action to purchase (1) Copier Machine with a one year maintenance and (1) Laptop with accessories for the new Bruni Community Center. [Account No. 696-6108-8801 Capital Outlay Certificates of Obligation Series 2002]

Item No. 35 Discussion and possible action to enter into a Memorandum of Agreement with the Corporation for National and Community Service for the Webb County AmeriCORPS VISTA Volunteer Program, and authorizing the County Judge to sign all relevant documents. The agreement will allow for the placement of up to 15 VISTA Volunteers in Webb County and its partner organizations.

Item No. 40 Discussion and possible action to award a proposal for landscaping and greenery for the Webb County Courthouse. [Account No. 001-0109-6401 Repair and Maintenance of Building]

Item No. 42 Discussion and possible action to authorize the Purchasing Agent to purchase the equipment for the El Cenizo and Rio Bravo Community Centers in the amount of \$17,275 from Bond Series 2002. [Account No. 696-8007-8801 Capital Outlay Certificates of Obligation Series 2002]

Item No. 43 Discussion and possible action on the approval of the following line item transfer:

FROM:

Acct. No. 816-0105-9203	Claims Paid Prescription	\$32,000
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TO:

Acct. No. 816-0105-6038	Adm. Fees	\$17,500
Acct. No. 816-0105-6060	Basic Life Insurance	500
Acct. No. 816-0105-6202	Claims Paid Dental	14,000

TOTAL: \$32,000